Notice of ALLOWABILITY Is NOT a GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.  1. ☑ This communication is responsive to **mendment received on 2.7.05*  2. ☑ The allowed claim(s) is/are **1.13*  3. ☑ The drawings filed on **1.50 December 2004 and 01 April 2004* are accepted by the Examiner.*  4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☑ All b) ☐ Some* c) ☐ None of the:  1. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  ** Certified copies not received:  Applicant has THREE MONTHS FROM THE **MAILING DATE* of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  6. ☐ CORRECTED DRAWINGS (as *replacement sheets") must be submitted.  8. ☐ CORRECTED DRAWINGS (as *replacement sheets") must be submitted.  9. ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  10 ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  10 ☐ Paper No./Mail Date  12 ☐ Identifying indicla such as the application number (see 37 CFR 1.84(c) should be written on the drawings in the front (not the back) of each sheet. Replacement sheets) should be labeled as such in the header according to 37 CFR 1.121(a).  7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  8. ☐ Information Disclosure Stateme		Application No.	Applicant(s)
## Notice of Allowability    Examiner		09/736,438	ITOKAWA, OSAMU
The MAILING DATE of this communication appears on the cover sheet with the correspondence address- All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-86) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CPR 1.313 and MPEP 1308.  1. ☑ This communication is responsive to amendment received on 2-7-05.  2. ☑ The allowed claim(s) is/are 1-13.  3. ☑ The drawings filed on 15 December 2004 and 01 April 2004 are accepted by the Examiner.  4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☑ All b) ☐ Some* o) ☐ None of the:  1. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No.  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. ☐ A SUBSTITUTE CATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the draw	Notice of Allowability		
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CPR 1.313 and MPEP 1308.  1. ☑ This communication is responsive to amendment received on 2.7-05.  2. ☑ The allowed claim(s) is/are 1-13.  3. ☑ The drawings filed on 15 December 2004 and 01 April 2004 are accepted by the Examiner.  4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☑ All b) ☐ Some* c) ☐ None of the:  1. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  **Certified copies not received: ☐ Applicant has THREE MONTHS FROM THE *MAILING DATE* of this communication to file a reply complying with the requirements noted below. Failure to limely comply will result in ABANDONMENT of this application.  **THIS THREE MONTH SERIOD IS NOT EXTENDABLE.**  5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date ☐ Learning Information Discosure Statement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  **THE CORRECTED DRAWINGS** (as *replacement sheets*) must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF		Shervin Nakhjavan	2621
2. ☑ The allowed claim(s) is/are 1-13.  3. ☑ The drawings filed on 15 December 2004 and 01 April 2004  4. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☑ All b) ☐ Some* c) ☐ None of the:  1. ☑ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in Application No  4. ☐ Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  (c) ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's Commen	All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RICE.	(OR REMAINS) CLOSED in to or other appropriate commure GHTS. This application is su	this application. If not included nication will be mailed in due course. THIS
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4.	2. 🛛 The allowed claim(s) is/are <u>1-13</u> .		
a)	3. A The drawings filed on 15 December 2004 and 01 April 2004	4 are accepted by the Examir	ner.
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(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  1) ☐ hereto or 2) ☐ to Paper No./Mail Date  (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).  7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.  Attachment(s)  1. ☐ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date  4. ☐ Examiner's Comment Regarding Requirement for Deposit  8. ☑ Examiner's Statement of Reasons for Allowance	<ol> <li>A SUBSTITUTE OATH OR DECLARATION must be submit INFORMAL PATENT APPLICATION (PTO-152) which give</li> </ol>	tted. Note the attached EXANs reason(s) why the oath or c	MINER'S AMENDMENT or NOTICE OF declaration is deficient.
Attachment(s)  1. □ Notice of References Cited (PTO-892)  2. □ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. □ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date  4. □ Examiner's Comment Regarding Requirement for Deposit  Attachment(s)  5. □ Notice of Informal Patent Application (PTO-152)  6. ☑ Interview Summary (PTO-413), Paper No./Mail Date 6-22-05.  7. ☑ Examiner's Amendment/Comment  8. ☑ Examiner's Statement of Reasons for Allowance	<ul> <li>(a) ☐ including changes required by the Notice of Draftsperson</li> <li>1) ☐ hereto or 2) ☐ to Paper No./Mail Date</li> <li>(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date</li> <li>Identifying indicia such as the application number (see 37 CFR 1.4)</li> </ul>	on's Patent Drawing Review of Amendment / Comment or in	n the Office action of
<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Informal Patent Application (PTO-152)</li> <li>Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date</li></ol>	<ol> <li>DEPOSIT OF and/or INFORMATION about the depos attached Examiner's comment regarding REQUIREMENT F</li> </ol>	it of BIOLOGICAL MATER OR THE DEPOSIT OF BIOL	RIAL must be submitted. Note the LOGICAL MATERIAL.
<ol> <li>Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>Interview Summary (PTO-413), Paper No./Mail Date 6-22-05.</li> <li>Examiner's Comment Regarding Requirement for Deposit</li> <li>Interview Summary (PTO-413), Paper No./Mail Date 6-22-05.</li> <li>Examiner's Amendment/Comment</li> <li>Examiner's Statement of Reasons for Allowance</li> </ol>	Attachment(s)	5 <b>- 1</b> Necessary 6	
Paper No./Mail Date <u>6-22-05</u> .  Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date	·		•
Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit 8. Examiner's Statement of Reasons for Allowance		Paper No./M	lail Date <u>6-22-05</u> .
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of Biological Material 9.   Other	•		tatement of Reasons for Allowance
	of Biological Material	9. 🗌 Other	·

Application/Control Number: 09/736,438

Art Unit: 2621

## **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Raymond DiPerna (Reg. 44,063) on 6-22-03.

The application has been amended as follows:

Claim 12, Line 1, change "storage" to read --computer readable--.

## **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance: claims 1-13 are allowed because, the prior art of record specifically Sun et al. (US 5,969,764) does not teach controlling the encoding parameter of the object having a lowest priority order among the objects having the priority order set by said setting means when a total code amount obtained by encoding the image data of the plural objects exceeds a predetermined cod amount of claims 1, 11, 12 and 13 combine with other features and elements of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2621

## Contact information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shervin Nakhjavan whose telephone number is (571) 272-7395. The examiner can normally be reached on Monday through Friday from 8:00 am to 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached at (571)272-7453.

Any response to this action should be mailed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Or faxed to:

(703) 872-9306 for *formal* communications,

**Hand delivered responses:** (Federal Express (Fed Ex),UPS,DHL, Laser, Action, Purolater, etc.)

United States Patent and Trademark Office Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this application should be directed to the Tech center 2600 customer service office (571) 272-2600.

Shervin Nakhjavan 5. N Patent Examiner Group Art Unit 2621 June 22, 2005.

> ANDREW W. JOHNS PRIMARY EXAMINER